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UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/886,306	06/21/2001	Ponani Gopalakrishnan	8728-505 (YOR9-2001-0231U	5598

7590 11/09/2004		EXAMINER
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ART UNIT	PAPER NUMBER
2141	

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DATE MAILED: 11/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/886,306	GOPALAKRISHNAN ET AL.
	Examiner	Art Unit	
	Kristie Shingles	2141	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _21 June 2001_.

2a)☐ This action is **FINAL**.　　2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-34_ is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-34_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _21 June 2001_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a)☐ All　b)☐ Some * c)☐ None of:

　　　1.☐ Certified copies of the priority documents have been received.

　　　2.☐ Certified copies of the priority documents have been received in Application No. _____.

　　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _1/21/03_.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Claims 1-34 are pending.

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless --
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed
> in the United States before the invention by the applicant for patent or (2) a patent granted on an application for
> patent by another filed in the United States before the invention by the applicant for patent, except that an
> international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this
> subsection of an application filed in the United States only if the international application designated the United
> States and was published under Article 21(2) of such treaty in the English language.

2.   Claims **1-34** are rejected under 35 U.S.C. 102(e) as being anticipated by *Donoho et al*

(USPN 6,263,362).

        a.   Per claim **1**, *Donoho et al* teach a system for intelligent caching and network

management, comprising:

- contextual information representing needs of a user (Abstract, col.7 lines 28-43,
  col.16 lines 10-42 and col.43 lines 11-56; profile information is targeted
  according to the needs of consumers, inclusive of user's scheduling preferences
  and information);

- a contextual system, which determines settings based on the contextual
  information and determines services and devices available for the user, in
  accordance with the contextual information (col.6 lines 5-67 and col.16 line 34-
  col.17 line 14; services and information are based on profile attributes from the
  user/user's computer); and

- a predictor which receives the contextual information, the settings, the services available and the devices available and predicts the needs of the user to make resources available to the user in accordance with predictions (col.9 line 48-col.10 line 10, col.12 lines 28-34, col.16 lines 47-58, col.35 line 56-col.36 line 25, col.38 lines 21-67 and col.39 line 38-col.40 line 57; predictions are determined and based on the profile and preference information obtained and examined by the inspectors from the advice readers, which maintain files of user profiles, preferences, etc).

b.   Claims **9, 17** and **26** are substantially similar to claim 1 and are therefore rejected under the same basis.

c.   Per claim **2**, *Donoho et al* teach the system as recited in claim 1, wherein the settings include a user preference profile which includes user preferences employed by the predictor to predict a location of the user and resources needed at the location (col.16 lines 34-46; system makes use of user preference profiles).

d.   Claims **10, 18** and **27** are substantially similar to claim 2 and are therefore rejected under the same basis.

e.   Per claim **3**, *Donoho et al* teach the system as recited in claim 2, wherein the user preferences are determined by past occurrences of user activities (col.38 lines 14-29, col.39 lines 1-12 and col.40 lines 23-57; user preferences can be determined by the history of user activities in the log files).

f.   Claims **11, 19** and **28** are substantially similar to claim 3 and are therefore rejected under the same basis.

g.   Per claim **4**, *Donoho et al* teach the system as recited in claim 2, wherein the user preference profile includes manually entered data (col.8 lines 18-38, col.9 lines 29-34 and col.36 lines 11-25; user profile data may be entered manually).

h.   Claims **12, 20** and **29** are substantially similar to claim 4 and are therefore rejected under the same basis.

i.   Per claim **5**, *Donoho et al* teach the system as recited in claim 1, wherein the contextual information includes a user itinerary (col.8 lines 18-38, col.17 line 65-67 and col.43 lines 11-57; contextual information can comprise user schedulings).

j.   Claims **13, 21** and **30** are substantially similar to claim 5 and are therefore rejected under the same basis.

k.   Per claim **6**, *Donoho et al* teach the system as recited in claim 1, wherein the devices available include one of a mobile communication device, a stationary communication device and a computer (col.5 lines 15-50 and col.9 lines 38-42; devices of the system may comprise mobile devices along with peripheral devices and computers).

l.   Claims **14, 22** and **31** are substantially similar to claim 6 and are therefore rejected under the same basis.

m.   Per claim **7**, *Donoho et al* teach the system as recited in claim 1, wherein the resources include at least one of a file, an application and data (col.3 lines 25-60 and col.13 line 32-col.15 line 43; resources implemented within the system comprise use and implementation of various files, applications, and acquired data/information).

n.   Claims **15, 23** and **32** are substantially similar to claim 7 and are therefore rejected under the same basis.

o.   Per claim **8**, *Donoho et al* teach the system as recited in claim 1, further comprising a universal messaging system coupled to the predictor, the universal messaging system being configured to provide message services in accordance with the needs of the user

predicted by the predictor (col.7 line 21-col.8 line 9 and col.12 lines 1-67; system allows for a messaging system configured to provide messaging in various modes and formats to advise and notify users/consumers).

p.   Claim **16** is substantially similar to claim 8 and is therefore rejected under the same basis.

q.   Per claim **24**, *Donoho et al* teach the method as recited in claim 17, further comprising the step of transferring the resources to the user at a location when and where the resources are needed (Abstract, col.2 line 66-col.3 line 52, col.10 lines 48-56, col.41 lines 15-40 and col.43 lines 10-57; resources and advice data are transferred to the user when needed).

r.   Claim **33** is substantially similar to claim 24 and is therefore rejected under the same basis.

s.   Per claim **25**, *Donoho et al* teach the method as recited in claim 24, wherein the step of transferring the resources to the user includes blocking unwanted messages to the user (col.57 lines 39-61, col.63 line 1-col.64 line 2, col.65 lines 1-50 and col.66 lines 43-61; system provides for user's protection and privacy by prohibiting unsolicited/unsubscribed data to reach the user).

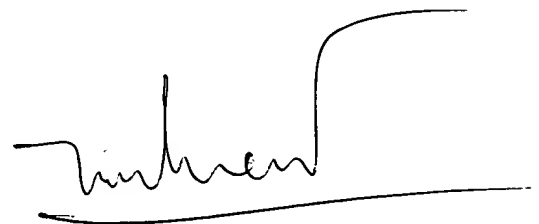t.   Claim **34** is substantially similar to claim 25 and is therefore rejected under the same basis.

Conclusion

3.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

    a.   Bull et al (USPN 6,208,975) disclose an information aggregation and
            synthesization system.

    b.   Gershman et al (USPN 6,199,099) disclose a system, method and article of
            manufacture for a mobile communication network utilizing a distributed
            communication network.

    c.   Takagi et al (USPN 6,243,755) disclose an information processing system using
            information caching based on user activity.

    d.   Abbott et al [US 20030046401] disclose dynamically determining appropriate
            computer user interfaces.

4.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Kristie Shingles whose telephone number is 571-272-3888. The

examiner can normally be reached on Monday-Friday 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Rupal Dharia can be reached on 571-272-3880. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

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PRIMARY EXAMINER

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kristie Shingles
Examiner
Art Unit 2141

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